

REMARKS

Claims 1-9 have been examined. With this amendment, Applicants add claims 10-15.

Claims 1-15 are all the claims pending in the application.

1. Formalities

Applicants thanks the Examiner for acknowledging the claim for foreign priority and for confirming that the certified copy of the priority document has been received.

Applicants thanks the Examiner for initialing the reference listed on form PTO-1449 submitted with the Information Disclosure Statement filed on November 20, 2000.

2. Claim Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1, 3, 4 and 6 under 35 U.S.C. § 102(b) as being anticipated by Pham et al. (US 5,300,960) [“Pham”]. For at least the following reasons, Applicants traverse the rejection.

Claim 1 recites a driving method for an optical printer that controls lighting-time lengths of individual light emitting elements while “simultaneously changing luminance of the respective light emitting elements according a predetermined characteristic curve as the lighting time for each pixel elapses.” The Examiner alleges that Pham discloses changing the luminance of LED elements with a predetermined count provided during the exposure time. The Examiner cites various figures and sections as allegedly corresponding to the claimed combination.

Applicants submit that Pham does not disclose or even remotely suggest that the luminance be changed for the light emitting elements during the time the light emitting elements are on (lighting time) as set forth in the claimed combination. In fact, Pham discloses that the

current level to each LED is the same and the pulse duration is varied (col. 4, lines 41-43).

Therefore, Applicants submit that the luminance level of the LEDs in Pham is constant during the on-cycle. The Examiner's cited sections and figures only relate to a clock pulse width to enable the LEDs or to pixel density, not the luminance of the LEDs.

Because claims 3, 4 and 6 depend on claim 1, Applicants submit that these claims are patentable at least by virtue of their dependency. They further distinguish from Pham by virtue of the features set forth therein.

Claim 3 recites that "the luminance of the light emitting elements is changed with time at a constant rate" and claim 4 recites that "the luminance of the light emitting elements is changed with time for recording each pixel according to a non-linear curve." For the reasons stated above in claim 1, Pham does not disclose changing the luminance of the LEDs during the exposure time, and therefore, does not disclose changing the luminance at a constant rate as set forth in claim 3 or non-linearly as set forth in claim 4.

3. Claim Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 2 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Pham in view of Masubuchi et al. (US 6,262,757) ["Masubuchi"]. For at least the following reason, Applicants traverse the rejection.

Because claims 2 and 5 depend on claim 1 and Masubuchi does not cure the deficient teachings of Pham with respect to claim 1, Applicants submit that these claims are patentable at least by virtue of their dependency.

The Examiner has rejected claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Pham in view of Nakatani (US 6,373,514) [“Nakatani”]. For at least the following reasons, Applicants traverse the rejection.

Because claim 7 recites features similar to claim 1 and Nakatani does not cure the deficient teachings of Pham with respect to these features, Applicants submit that claim 7 is patentable for at least the reasons given in claim 1.

Because claim 8 depends on claim 7, Applicants submit that claim 8 is patentable at least by virtue of its dependency.

The Examiner has rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Pham in view of Masubuchi and Nakatani. For at least the following reason, Applicants traverse the rejection.

Because Masubuchi and Nakatani do not cure the deficient teachings of Pham with respect to claim 7, Applicants submit that claim 9 is patentable at least by virtue of its dependency.

4. New Claims

With this amendment Applicants add claims 10-15. Applicants submit that these claims are patentable at least by virtue of their respective dependencies, as well as the features set forth therein.

5. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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